THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 22732 of 2005

Date:13-07-2007

Between:

Nawaz Rice Mill, Tadipatri .. **PETITIONER**

AND

The Branch Manager, the A.P.State Financial Corporation .. **RESPONDENT**

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondent in putting the petitioner's rice mill bearing Door No.5-253, Jeelan Manzil, Tadipatri, Anantapur District, vide auction notification dated 30.09.2005 published in the newspaper Eenadu, as illegal and aribitrary.

None appears for the petitioner when the matter was called on 20.04.2007 and 15.06.2007.

The only prayer of the petitioner is to declare the action of the respondent in putting the petitioner's rice mill for auction vide auction notification, dated 30.09.2005.

The petitioner's rice mill was advertised for auction calling for the tenders and the auction notification itself is only for a period of 90 days.

A counter has been filed stating that pursuant to the auction notification, dated 30.09.2005, the petitioner has paid a sum of Rs.50,000/- on 20.09.2005 itself before the release of advertisement. But, however, no tenders have been received in pursuance of the said advertisement.

Thus, the auction notice itself has been elapsed. Therefore, no further orders are required to be passed in the matter. Accordingly, it is open for the respondent to issue a fresh auction notice if the amounts were not paid.

Accordingly, the writ petition is dismissed. No costs.

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V.ESWARAIAH, J.

Date:13.07.2007
ccm